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JUL 15 2005

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Number: 10/661,338

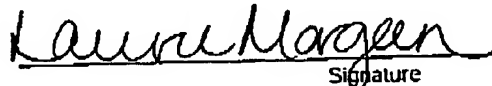
Filing Date: 9/12/2003

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office

on 07/15/2005

Date



Signature

Laurie Morgan

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify  
each submitted paper.

1. Fee Transmittal
2. Petition to Withdraw Holding of Abandonment

BE1-021USC1  
(571) 273-8300

Total pages including cover sheet: 16

*Please notify us immediately (509-324-9256) if  
there is a problem with the quality of this fax.*

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 0.00**Complete if Known**

|                      |                |
|----------------------|----------------|
| Application Number   | 10/661,338     |
| Filing Date          | 9/12/2003      |
| First Named Inventor | Todd W. Antrim |
| Examiner Name        | Quoc Duc Tran  |
| Art Unit             | 2643           |
| Attorney Docket No.  | BE1 021USC1    |

**RECEIVED**  
**CENTRAL FAX CENTER****JUL 15 2005****METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

|   |     |     |
|---|-----|-----|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50  | 25  |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims   | 360 | 180 |

**Multiple dependent claims**

| Total Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP =  | x            | 50       | =             |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20      |              |          |               |                           |          |               |
| Indep. Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) |                           |          |               |
| - 3 or HP =   | x            | 200      | =             |                           |          |               |
| HP = highest number of independent claims paid for, if greater than 3 |              |          |               |                           |          |               |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   |          |               |

**4. OTHER FEE(S)**

Non-English Specification. \$130 fee (no small entity discount)

Other: \_\_\_\_\_

**SUBMITTED BY**

Signature

Name (Print/Type)

Rocco L. Adornato

Registration No.  
(Attorney/Agent)

40480

Telephone (509) 324-9256

Date 15 JUL 05

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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JUL 15 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....10/661,338  
Filing Date ..... 12 September 2003  
Inventorship ..... Todd W. Atrim, et al.  
Applicant ..... BellSouth Intellectual Property Corporation  
Group Art Unit ..... 2643  
Examiner ..... Quoc Duc Tran  
Attorney's Docket No. .... BE1 021 USC1  
Title: Device for Guiding a Blade

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

**UNDER 37 CFR § 1.181(A)**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Rocco L. Adornato Tel. 509-324-9256 x 257  
Fax 509-323-8979

Customer # 49584

Sir:

1. The instant application stands abandoned for failure to timely file a proper reply to an Office Action mailed on 26 August 2004, as indicated in the Notice of Abandonment mailed by the United States Patent and Trademark Office (Office) on 19 May 2005, and received by the Applicant on or about 23 May 2005.
2. The Applicant petitions the Commissioner under 37 CFR § 1.181(a) to withdraw the holding of abandonment lodged against the instant application. No fee is believed required for considering this Petition.

3. In support of this Petition, the Applicant respectfully submits a factual showing based on three executed declarations enclosed herewith. One declaration is made by Terry J. Watson, IP Coordinator at the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP (KL) in Pittsburgh, PA. Another declaration is made by Dana Calhoun, the Docketing Supervisor at the law firm of Lee & Hayes PLLC (LH) in Spokane, WA. Another declaration is made by Rhonda Bogart, the Client Services manager at LH. On information and belief, based on these three declarations and the official papers of record in this matter, the Applicant provides the following timeline of events pertaining to the instant application:

- a. 12 September 2003: The instant application was filed with the Office;
- b. 26 August 2004: An Office Action was mailed by the Office, according to the Notice of Abandonment referenced in Paragraph 3.g. below;
- c. 1 November 2004: The instant application and the related case file were shipped from KL to LH;
- d. 2 November 2004: The instant application and the related case file were received by LH;
- e. 17 November 2004: The instant application and the related case file were processed into LH's internal systems;
- f. 26 February 2005: The period of response for the Office Action referenced in Paragraph 3.b. above expired. Accordingly, the instant application went abandoned on this date for failure to respond to the Office Action;
- g. 19 May 2005: A Notice of Abandonment was mailed by the Office; and

h. 23 May 2005: The Notice of Abandonment was received and docketed by LH.

4. On information and belief, the Applicant submits that the attached factual showing indicates that neither of its representatives (KL nor LH) received the Office Action mailed by the Office on 26 August 2004. Accordingly, the Applicant petitions the Commissioner to withdraw the holding of abandonment lodged against the instant application.

5. The Applicant further respectfully requests that the Office Action mailed on 26 August 2004 be re-mailed to the practitioners associated with Customer No. 49584 at the earliest convenience of the Office, and that the statutory period for response to such Office Action be re-started.

6. The Applicant requests favorable action on this Petition at the earliest convenience of the Office. If discussion with the Applicant's representative would advance favorable action on this Petition, the Office is requested to contact the undersigned at the telephone number provided below.

Respectfully Submitted,

Dated: 14 July 05

By: 

Rocco L. Adornato  
Reg. No. 40,480  
(509) 324-9256 x 257

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JUL 15 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. .... 10/661,338  
Filing Date ..... 21 September 2003  
Inventorship..... Todd W. Atrim, et al.  
Applicant..... BellSouth Intellectual Property Corporation  
Group Art Unit..... 2643  
Examiner ..... Quoc Duc Tran  
Attorney's Docket No. .... BE1 021 USC1  
Title: Method for Providing Telephone Services for Commercial Classes of  
Services

**DECLARATION OF RHONDA BOGART**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Rocco L. Adornato Tel. 509-324-9256 ext. 257  
Fax 509-323-8979

Customer # 49584

Sir:

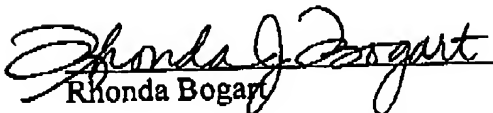
I, Rhonda Bogart, declare as follows:

1. I am the Client Services Manager in the Spokane office of the law firm of Lee & Hayes, PLLC (LH). I have held this position since March 2002. Prior to employment at LH, I have worked in the legal field for over 18 years.
2. Included in my duties as Client Service Manager is the task of reviewing all incoming new and transferred files sent to the Spokane office of LH. Such

incoming files may originate from other law firms. All such files, regardless of origin, are checked against any documentation for receipt and reviewed for responses or any other due dates. Any such files with deadlines or due dates are processed and entered into our firm's docketing system, with the deadlines or due dates entered on the face of the file jacket for the relevant case.

3. Our firm uses docketing software purchased from PERFECT LAW. Each patent matter is assigned a unique docket number. Our firm handles patent matters that were originally filed by LH, and also handles patent matters that were originally filed by other law firms and subsequently transferred to LH. Should our firm receive a matter from another firm, the contents of that matter are reviewed in detail for any pending or outstanding Office Actions, and any relevant due dates are entered in our docketing system.
4. Attached hereto is a page from our firm's docketing system relating to LH Matter No. BE1 021 USC1. This matter corresponds to United States Patent Application Serial No. 10/661,338; filed on 21 September 2003. This matter was transferred to our firm from the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP (KL) in Pittsburgh, PA on or about 1 November 2004. The transferred file was received physically in our office on 2 November 2004 and an acknowledgement confirming receipt was faxed to KL on the same date per their request. The file was then given to Rebekkah Borges, under my supervision, to process into our docketing system. Referring to the attached page from our docketing system, more particularly the items listed under the heading "Matter Notes", Rebekkah Borges is listed as the author of an entry that was made therein on 17 November 2004, indicating that the transferred file was processed into LH's systems on or about that date.

5. On information and belief, the contents of LH Matter No. BE1 021 USC1 as received from KL during the file transfer did not contain an Office Action. According to the Notice of Abandonment received by LH on or about 23 May 2005, an Office Action was mailed by the USPTO on 26 August 2004, which was before this matter was transferred to LH. Accordingly, on information and belief, no Office Action has been delivered to or received by LH in this matter, whether originating from the USPTO or from KL.
6. I further declare that all statements are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or document, or any registration resulting therefrom.

  
Rhonda Bogart

7/6/05  
Date

e & Hayes, PLLC  
in: June 22, 2005

## Matter History Report

### U.S. Patent

**Title:** Method for Providing Telephone Services for  
**Country:** U.S. **Patent No.**  
**Client ID:** BE1 **Issue Date:**  
**Matter Number:** 0021USC1  
**Matter Title:** Method for Providing Telephone Services for Commercial Classes of Service  
**Status:** Transferred in  
**Client:** BellSouth Intellectual Property Corporation  
**File By Date:** **Group:** **Technology:**  
**Appl. Serial No:** 10/661,338 **Filing Date:** 9/12/2003  
**Client Case No(s):** BS-99099C1  
**Init./Billing Atty:** RLA **Resp. Attorney:** LCL **Paralegal:** LSM

#### Party Relations:

Assignee BELLSOUTH INTELLECTUAL PROPERTY CORPORAT  
Client BELLSOUTH IP CORPORATION,  
First Named Inventor ANTRIM, TODD W.  
Inventor ABRUE, CURTIS M.

| Deadlines                    | Notes | Due        | Completed  |
|------------------------------|-------|------------|------------|
| Notice of Abandonment mailed |       | 05/19/2005 | 05/19/2005 |
| File Petition to Revive      |       | 07/19/2005 |            |

#### Matter Notes

| Created    | Author | Note Title                                | Note Text |
|------------|--------|---|-----------|
| 11/17/2004 | RSB    | Transfer file from Kirkpatrick & Lockhart |           |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....10/661,338  
Filing Date ..... 21 September 2003  
Inventorship ..... Todd W. Atrim, et al.  
Applicant ..... BellSouth Intellectual Property Corporation  
Group Art Unit ..... 2643  
Examiner ..... Quoc Duc Tran  
Attorney's Docket No. .... BE1 021 USC1  
Title: Method for Providing Telephone Services for Commercial Classes of  
Services

**DECLARATION OF DANA CALHOUN**

To: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Rocco L. Adornato Tel. 509-324-9256 ext. 257  
Fax 509-323-8979

Customer # 49584

Sir:

I, Dana Calhoun, declare as follows:

1. I am the Docketing Supervisor in the Spokane office of the law firm of Lee & Hayes, PLLC (LH). I have held this position since 2003.
2. Included in my duties as Docketing Supervisor is the task of reviewing all incoming mail addressed to any personnel working in the Spokane office of LH. Such incoming mail may originate from the United States Patent and Trademark Office (USPTO), or may originate from other law firms. All

such incoming mail, regardless of origin, is reviewed for any deadlines for responses or any other due dates. Any such deadlines or due dates are entered into our firm's docketing system and are entered on the face of the file jacket for the relevant case.

3. Our firm uses docketing software purchased from PERFECT LAW. Each patent matter is assigned a unique docket number. Our firm handles patent matters that were originally filed by LH, and also handles patent matters that were originally filed by other law firms and subsequently transferred to LH. Should our firm receive a matter from another firm, the contents of that matter are reviewed in detail for any pending or outstanding Office Actions, and any relevant due dates are entered in our docketing system.
4. Attached hereto is a page from our firm's docketing system relating to LH Matter No. BE1 021 USC1. This matter corresponds to United States Patent Application Serial No. 10/661,338; filed on 21 September 2003. This matter was transferred to our firm from the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP (KL) in Pittsburgh, PA on or about 1 November 2004. Referring now to the items listed under the heading "Deadlines", one entry indicates that the USPTO mailed a Notice of Abandonment on 19 May 2005, and another entry records a deadline for filing a Petition to Revive on or before 19 July 2005.
5. On information and belief, the contents of LH Matter No. BE1 021 USC1 as received from KL during the file transfer did not contain an Office Action. According to the Notice of Abandonment received by LH on or about 23 May 2005, an Office Action was mailed by the USPTO on 26 August 2004, which was before this matter was transferred to LH. Accordingly, on information and belief, no Office Action has been delivered to or received by LH in this matter, whether originating from the USPTO or from KL.

6. I further declare that all statements are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or document, or any registration resulting therefrom.

  
Dana Calhoun

7/6/05  
Date

3 & Hayes, PLLC  
n: June 22, 2005

## Matter History Report

### U.S. Patent

**Title:** Method for Providing Telephone Services for  
**Country:** U.S. **Patent No.**  
**Client ID:** BE1 **Issue Date:**  
**Matter Number:** 0021USC1  
**Matter Title:** Method for Providing Telephone Services for Commercial Classes of Service  
**Status:** Transferred In  
**Client:** BellSouth Intellectual Property Corporation  
**File By Date:** **Group:** **Technology:**  
**Appl. Serial No:** 10/661,338 **Filing Date:** 9/12/2003

**Client Case No(s):** BS-99099C1  
**Int/Billing Atty:** RLA **Resp. Attorney:** LCL **Paralegal:** LSM

**Party Relations:**  
Assignee BELLSOUTH INTELLECTUAL PROPERTY CORPORAT  
Client BELLSOUTH IP CORPORATION,  
First Named Inventor ANTRIM, TODD W.  
Inventor ABRUE, CURTIS M.

| Deadlines                    | Notes | Due        | Completed  |
|------------------------------|-------|------------|------------|
| Notice of Abandonment mailed |       | 05/19/2005 | 05/19/2005 |
| File Petition to Revive      |       | 07/19/2005 |            |

#### Matter Notes

| Created    | Author | Note Title                                | Note Text |
|------------|--------|---|-----------|
| 11/17/2004 | RSB    | Transfer file from Kirkpatrick & Lockhart |           |

K&L No. 99365CON  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit

Examiner

In re application of

Antrim et al.

Serial No. 10/661,338

Filed September 12, 2003

:

:

:

:

:

METHOD FOR PROVIDING  
TELEPHONE SERVICES  
FOR COMMERCIAL  
CLASSES OF SERVICES

Group No.

DECLARATION OF TERRI J. WATSON

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450


Sir:

I, Terri J. Watson declare as follows:

1. I am the IP Coordinator in the Pittsburgh office of Kirkpatrick & Lockhart Nicholson Graham LLP (K&LNG). I have held this position since March 1999. Prior to that time, I was the docket administrator at Calgon Corporation for 24 years.
2. Included among my duties as IP Coordinator is the task of receiving and reviewing all incoming mail addressed to any of the lawyers in the patent practice group in the Pittsburgh office of K&LNG, including, without limitation, all correspondence from the United States Patent and Trademark Office relating to patent matters. All such mail is reviewed and any actions due and the dates when an action is due are entered into our docketing system and written on the face of the file jacket.
3. K&LNG uses docketing software purchased through Computer Packages Inc. (CPI). Each patent application is assigned a case number. When mail relating to a case number comes in, I enter the action and date when due into the CPI docketing software.

PI-1109455 v1 0174010-0061

4. Attached hereto is a page from the docket report for Case Number 99365CON, relating to U.S. Serial No. 10/661,338 filed September 12, 2003. The Remarks section reflects dates entered as documents relating to Case 99365CON were filed and received. The application was sent to the Patent Office on September 12, 2003. The informal serial number was received on September 24, 2003. There was no further activity noted until we were instructed to transfer our file to John Whitaker, Esq. of the firm of Lee & Hayes. The file was transferred to Mr. Whitaker on November 1, 2004.
5. On information and belief, no Office Action for Case No. 99365CON was ever delivered or received by K&LNG prior to our transfer of the file to Mr. Whitaker.
6. I further declare that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

  
Terri Watson

6-28-05  
Date

## Country Application

Tuesday, June 28, 2005 Page: 1

|                                       |                                 |          |
|---------------------------------------|---------------------------------|----------|
| Case Number: 99365CON                 | Country: US                     | SubCase: |
| KL Number: 0224285.0361               | United States of America        |          |
| Client: BellSouth IP Management Corp. | Client Reference #: BS-99099C1  |          |
| Case Type: CON                        | Application Status: transferred |          |
| Application Number: 10/661,338        | Filing Date: 12-Sep-2003        |          |
| Publication Number:                   | Publication Date:               |          |
| Patent Number:                        | Issue Date:                     |          |
| Parent/PCT Number:                    | Parent/PCT Date :               |          |
| Parent Issue Number:                  | Parent Issue Date :             |          |
| Tax Schedule: LE                      | Expiration Date:                |          |
| Confirmation #:                       | Patent Term Adjustment: 0       |          |
| Agent:                                | Agent Reference #:              |          |

Resp. Office: PA

Sent To Central File: ☐

Supplemental File Created: ☐

Family Reference:

Remarks: TRANSFERRED TO:

John Whitaker, Esq.  
Lee & Hayes  
421 West Riverside Avenue, Suite 500  
Spokane, WA 99201

09/24/03 - REC'D INFORMAL SERIAL NUMBER  
09/12/03 - SENT APPLICATION/IDS TO PTO

User ID: watsonj

Date Created: 22-Sep-2003

Last Update: 17-Nov-2004